



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

January 4, 1991

Mr. William J. Delmore, III
General Counsel
Office of the District Attorney
Harris County
201 Fannin, Suite 200
Houston, Texas 77002

OR91-009

Dear Mr. Delmore:

You ask for reconsideration of Letter Ruling OR90-535, that was issued to the City of Houston on November 6, 1990. Your request for reconsideration was assigned ID# 11133.

You state that the city of Houston timely notified your office in a letter dated October 9, 1990, of the request for records in order to establish that section 3(a)(3) applied to the records. However, you state that you were "absent from the State of Texas . . . and [your office] was unable to timely respond to the City's request." In light of your recent claim to the litigation exception, section 3(a)(3) of the Open Records Act, and documents submitted thereof, the information may be withheld. We are hereby withdrawing Open Records Letter Ruling OR90-535.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-009.

Yours very truly,

A handwritten signature in cursive script that reads "Susan Garrison".

Susan Garrison
Assistant Attorney General
Opinion Committee

SG/LE/le

Ref.: ID# 11133, OR90-535

cc: Mr. Michael Anthony Moss
City of Houston
P.O. Box 1562
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